

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GNC FRANCHISING, INC.,

Civil Action No. 05-0270

Plaintiff,
v.

Gary L. Lancaster
United States District Judge

TIM O'BRIEN, DOROTHY O'BRIEN, AND
BISCAYNE NUTRITIONAL SERVICES,
INC.,

Lisa P. Lenihan
United States Magistrate Judge

Defendants.

STIPULATION OF DISMISSAL

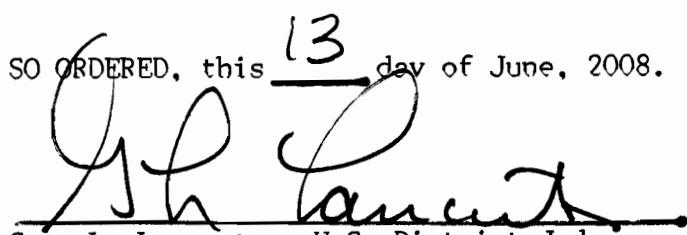
Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the parties hereby stipulate to the dismissal, with prejudice, of all claims and counterclaims between Plaintiff and Defendants. Pursuant to Rule 41(a)(1)(ii), this Stipulation of Dismissal is signed by or on behalf of all parties who have appeared in this action. Each party shall bear its own costs, attorneys' fees and expenses.

Respectfully submitted,

Respectfully submitted,

/s/ Kevin Batik
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Attorneys for Defendants

SO ORDERED, this 13 day of June, 2008.

Gary L. Lancaster, U.S. District Judge